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January 14, 2020

VIA ELECTRONIC FILING

The Honorable Jocelyn G. Boyd
Chief Clerk / Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

Re: Letter of Blue Granite Water Company Providing Notice Pursuant to S.C.
Code Ann. Regs. 103-514(C)
Docket No. 2020-____-S

Dear Ms. Boyd:

Blue Granite Water Company (the "Company") is filing for the Commission's information, pursuant to S.C. Code Ann. Regs. 103-514(C), the attached Consent Order between the Company and the S.C. Department of Health and Environmental Control ("DHEC") and DHEC Closure Letter, as Attachments A and B, respectively. It recently came to the Company's attention that the Consent Order had not been filed with the Commission. The Company regrets this oversight and is providing this information immediately after discovering the error.

The Consent Order relates to a technical violation of the National Pollutant Discharge Elimination System ("NPDES") permit for the Watergate Wastewater Treatment Facility, and there was no environmental impact or impact to customers. The Company has paid the associated fine, and—as explained in the DHEC Closure Letter—all requirements of the DHEC order have been satisfied.

A copy of this filing is being provided to the Office of Regulatory Staff.

Kind regards,

Sam Wellborn

SJW:tch

Enclosures

cc w/enc: Jeffrey M. Nelson, Chief Legal Officer (via email)
Donald Denton, President (via email)
Dante Destefano, Financial Planning & Analysis Manager (via email)



September 30, 2019

FIRST CLASS and
CERTIFIED MAIL – 9214 8969 0099 9790 1415 9559 44

Ms. Rebecca Coates, Compliance Manager
Blue Granite Water Company
130 South Main Street
Suite 800
Greenville, SC 29601

Re: **Consent Order 19-060-W**
Blue Granite Water Company/Watergate WWTF
NPDES Permit SC0027162
Lexington County

Dear Ms. Coates:

Enclosed, please find fully executed Consent Order 19-060-W for the above referenced facility. The Order is considered executed on September 27, 2019.

If you have any questions, please contact me at (803) 898-1768 or by e-mail at shawah@dhec.sc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Anastasia Shaw", is written over a horizontal line.

Anastasia Shaw, Enforcement Project Manager
Bureau of Water - WP Control Division
WP Enforcement Section

cc: Melanie Hindman, SCDHEC, WP Compliance and Enforcement Section
Veronica Barringer, SCDHEC, EA Midlands Region
Brenda Green, SCDHEC, Water Facilities Permitting
Sonya Johnson, SCDHEC, EA Midlands Region

Attachment as stated

**THE STATE OF SOUTH CAROLINA
BEFORE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**IN RE: BLUE GRANITE WATER COMPANY/WATERGATE WWTF
LEXINGTON COUNTY**

CONSENT ORDER

19 - 060 - W

Blue Granite Water Company (Blue Granite) owns and is responsible for the proper operation and maintenance of the Watergate wastewater treatment facility (WWTF) located at 1570 Old Chapin Road in Lexington County, South Carolina. The WWTF serves the residences of its designated service area.

Blue Granite failed to comply with the conditions of National Pollutant Discharge Elimination System Permit (NPDES) SC0027162 (Permit) in that it failed to properly dispose of sludge from the WWTF.

In accordance with approved procedures and based upon discussions with agents for Blue Granite during an enforcement conference on August 7, 2019, the parties agree to the issuance of this Order to include the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Blue Granite owns and is responsible for the proper operation and maintenance of the Watergate WWTF located at 1570 Old Chapin Road in Lexington County, South Carolina. The WWTF serves the residences of its designated service area.
2. The South Carolina Department of Health and Environmental Control (Department) issued NPDES Permit SC0027162 to Blue Granite, authorizing Blue Granite to discharge treated wastewater from the WWTF to Twelve Mile Creek, in accordance with effluent

limitations, monitoring requirements, and other permit conditions contained therein. The Permit was issued effective December 1, 2009, and expired on September 30, 2014. A permit renewal application was received by the Department and is currently under review.

3. Part III.D. of the Permit specifies the means of transportation and disposal of the sludge from the WWTF in a local landfill. The Permit has recently been amended to allow disposal of sludge at the City of Cayce's WWTF.
4. On April 19, 2019, Blue Granite pumped sludge from the Watergate WWTF and deposited the sludge in Blue Granite's Friarsgate WWTF, which had previously ceased operation. A copy of the Blue Granite operator's log book from April 19, 2019, documents the hauling of fifteen thousand (15,000) gallons of sludge from the Watergate WWTF to the Friarsgate WWTF.
5. On May 27, 2019, Department staff received an electronic mail message from Blue Granite notifying the Department it discovered a former operator failed to have sludge properly removed from the Watergate WWTF, causing the sludge blanket to be high. Blue Granite stated it employed emergency efforts to remove solids from the digester due to an impending rain event.
6. On May 28, 2019, Department staff interviewed the area manager for Blue Granite. He confirmed Blue Granite staff pumped sludge from the Watergate WWTF and deposited it in the Friarsgate WWTF. Blue Granite failed to notify the Department of this activity.
7. On July 18, 2019, the Department issued a Notice of Alleged Violation/Notice of Enforcement Conference to Blue Granite.

sludge from the WWTF.

2. The Pollution Control Act, S.C. Code Ann. § 48-1-330 (2008), provides for a civil penalty not to exceed ten thousand dollars (\$10,000.00) per day of violation for any person violating the Act or any rule, regulation, permit, permit condition, final determination, or Order of the Department.

NOW, THEREFORE, IT IS ORDERED, CONSENTED TO AND AGREED, pursuant to the Pollution Control Act, S.C. Code Ann. §§ 48-1-50 and 48-1-100 (2008 and Supp. 2018), that Blue Granite shall:

1. Within thirty (30) days of the execution date of this Order, pay to the Department a civil penalty in the amount of eight thousand two hundred twenty-five dollars (\$8,225.00).

PURSUANT TO THIS ORDER, communications regarding this Order and its requirements, including civil penalty payments, shall include the Order number and be addressed as follows:

Anastasia Shaw, Enforcement Project Manager
SCDHEC - Bureau of Water
WP Enforcement Section
2600 Bull Street
Columbia, S.C. 29201

IT IS FURTHER ORDERED AND AGREED that failure to comply with any provision of this Order shall be grounds for further enforcement action pursuant to the Pollution Control Act, S.C. Code Ann. § 48-1-330 (2008), to include the assessment of additional civil penalties.

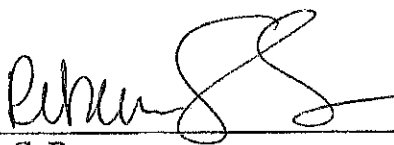
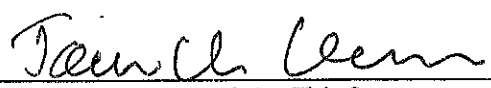

IT IS FURTHER ORDERED AND AGREED that this Consent Order governs only the civil liability to the Department for civil sanctions arising from the matters set forth herein and constitutes the entire agreement between the Department and Blue Granite Water Company with respect to the resolution and settlement of these civil matters. The parties are not relying upon any representations, promises, understandings or agreements except as expressly set forth within this Order.

THE PARTIES UNDERSTAND that the “execution date” of the Order is the date the Order is signed by the Director of Environmental Affairs.


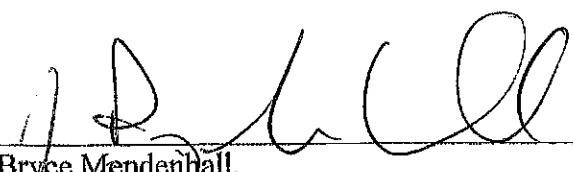
[Signature Page Follows]

RECEIVED

SEP 19 2019

**FOR THE SOUTH CAROLINA DEPARTMENT
OF HEALTH AND ENVIRONMENTAL CONTROL**SC Department of
Health & Environmental ControlDate: 9/27/19for 
Myra C. Reece
Director of Environmental AffairsDate: 9/20/2019
James M. Marcus, PhD, Chief
Bureau of WaterDate: 9/20/19
Randy Stewart, Director
Water Pollution Control Division
Bureau of Water

Reviewed By:


DHEC Legal CounselDate: 9/25/2019**WE CONSENT:****BLUE GRANITE WATER COMPANY**
Bryce Mendenhall,
Vice President of OperationsDate: 9/16/2019



Amended
10/25/19

Attachment B

ORIGINAL

October 22, 2019

FIRST CLASS MAIL

Ms. Rebecca Coates
Blue Granite Water Company
130 S. Main Street
Suite 800
Greenville, SC 29601

Re: **Consent Order 19-060-W - Closed**
Blue Granite Water Company/Watergate WWTF
NPDES Permit SC0027162
Lexington County

Dear Ms. Coates:

A review of the NPDES Permit File, Compliance File and Enforcement File has determined that all requirements of Consent Order 19-060-W have been satisfied. Therefore, the Order is considered **CLOSED** on October 22, 2019.

If you have any questions, please contact me at (803) 898-1768 or by e-mail at shawah@dhec.sc.gov.

Sincerely,

Anastasia Shaw, Enforcement Project Manager
WP Enforcement Section
Bureau of Water - WP Control Division
SCDHEC

cc: Melanie Hindman, SCDHEC, WP Compliance Section
Veronica Barringer, SCDHEC, Midlands EA Region
Sonya Johnson, SCDHEC, Midlands EA Region
Brenda Green, SCDHEC, Water Facilities Permitting